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Attorney Docket No. P67670US0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: RICHARD et al.

Application No.: 10/069,122

Art Unit: 1649

Filed: July 8, 2002

Examiner: Stephen Gucker

For: METHOD OF DIAGNOSING OR PROGNOSTICATING AGE-RELATED MACULAR DEGENERATION

**RESPONSE
TO RESTRICTION REQUIREMENT**

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

This paper responds to the Office Action (restriction requirement) mailed October 4, 2005.

Pursuant to the restriction requirement under 35 USC 121, election is made, hereby, to prosecute invention Group I, claims 1-18, 25, and 26.

Pursuant to the requirement for election of species, applicants elect as species the translation product of Cystatin C gene, with traverse. The elected species reads on claims 1-18, 25, and 26.


Traverse is maintained to the extent that all species in the "substance" Markush group be examined upon a generic claim being found allowable, since the Markush group is properly generic. *In re Weber*, 198 USPQ 328, 331 (CCPA 1978). *In re Haas* ("Haas I"), 179 USPQ 623 (CCPA 1973).

Favorable action is requested.

Respectfully submitted,

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